

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE: AIR CARGO SHIPPING SERVICES
ANTITRUST LITIGATION

06-MD-1775 (JG)(VVP)

MDL No. 1775

THIS DOCUMENT RELATES TO:

ALL CASES

**NOTICE OF PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF SETTLEMENT WITH LUFTHANSA**

Please take notice that, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, upon consideration of Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for final Approval of the Settlement with Lufthansa and the accompanying exhibits, and all other papers and proceedings herein, Plaintiffs will move this Court on December 12, 2008 at 11:30 a.m., or as soon thereafter as counsel may be heard, before the Honorable John Gleeson, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, in the Ceremonial Courtroom, for an Order: providing final approval of the Lufthansa Settlement Agreement as fair, reasonable and adequate; providing final certification of the conditionally certified Settlement Class; finding that the Notice program satisfied due process requirements; and entering final judgment on behalf of Lufthansa under the terms of the Settlement Agreement.

Respectfully submitted,

DATED: November 12, 2008

<p>BY: <u>/s/ Michael D. Hausfeld</u>¹ Michael D. Hausfeld Charles E. Tompkins Andrea L. Hertzfeld HAUSFELD LLP 1146 19th Street N.W., 5th Floor Washington, D.C. 20036 (202) 579-1089</p> <p><i>Co-Lead Counsel and Co-Lead Counsel Principally Responsible for the Claims of the Foreign Purchasers</i></p>	<p>BY: <u>/s/ Hollis L. Salzman</u> Hollis L. Salzman (HS-5994) Gregory S. Asciolla (GA-2222) LABATON SUCHAROW LLP 140 Broadway New York, NY 10005 (212) 907-0700</p> <p><i>Co-Lead Counsel</i></p>
<p>BY: <u>/s/ Howard J. Sedran</u> Howard J. Sedran Austin B. Cohen LEVIN, FISHBEIN, SEDRAN & BERMAN 510 Walnut Street, Suite 500 Philadelphia, PA 19106 (215) 592-1500</p> <p><i>Co-Lead Counsel</i></p>	<p>BY: <u>/s/ Robert N. Kaplan</u> Robert N. Kaplan (RK-3100) Gregory K. Arenson (GA-2426) KAPLAN, FOX & KILSHEIMER, LLP 850 Third Avenue, 14th Floor New York, NY 10022 (212) 687-1980</p> <p><i>Co-Lead Counsel</i></p>

¹ Michael D. Hausfeld was personally appointed Co-Lead Counsel by the Court while at his prior firm, Cohen, Milstein, Hausfeld & Toll, PLLC ("CMHT"). Each of the attorneys with primary responsibility for litigating this case, including Mr. Hausfeld, are now at Hausfeld LLP. A Notice of Change Affiliation and Motion to Amend the Court's November 15, 2006 Decision and Order and Pretrial Orders No. 3 and 4 to reflect this change of firm affiliation is currently pending before the Court. All representative plaintiffs that had retained Michael Hausfeld in this matter, including Volvo, H&M, Geodis Wilson (formerly TNT), KappAhl, AB Lindex, Association des Utilisateurs du Transport de Fret ("AUTF"), IKEA and Olarte, have been apprised of this change of firm affiliation, have been given the choice of being represented by Michael Hausfeld or by Cohen, Milstein, Sellers and Toll (CMST), and support Michael Hausfeld's continuing in his Court appointed positions. Nevertheless, Hausfeld LLP and the other Co-Lead Counsel have agreed to allow CMST to remain on the signature block pending entry of an order on Hausfeld LLP's Motion so that these papers can be timely filed.

<p>BY: <u>/s/ Steven N. Williams</u> Joseph W. Cotchett Steven N. Williams COTCHETT, PITRE & MCCARTHY 840 Malcolm Road, Suite 200 Burlingame, CA 94010 (650) 697-6000</p> <p><i>U.S. Indirect Purchaser Class and Subclass Counsel</i></p>	<p>BY: <u>/s/ Craig Corbitt</u> Craig Corbitt ZELLE, HOFMANN, VOELBEL, MASON & GETTE 44 Montgomery Street, Suite 3400 San Francisco, CA 94104 (415) 693-0700</p> <p><i>U.S. Indirect Purchaser Class and Subclass Counsel</i></p>
<p>BY: <u>/s/ Joseph Bruckner</u> W. Joseph Bruckner LOCKRIDGE GRINDAL NAUEN, PLLP 100 Washington Avenue South, Suite 2200 Minneapolis, MN 55401 (612) 339-6900</p> <p><i>U.S. Indirect Purchaser Class and Subclass Counsel</i></p>	<p>BY: <u>/s/ Christopher Lovell</u> Christopher Lovell Imtiaz A. Siddiqui LOVELL, STEWART, HALEBIAN, LLP 500 Fifth Avenue, Suite 58 New York, NY 10110 (212) 608-1900</p> <p><i>U.S. Indirect Purchaser Class and Subclass Counsel</i></p>
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